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SUBJECT: GEORGIA: MARGINAL PROGRESS ON UNOMIG NEGOTIATIONS

Classified By: Ambassador Rosemary DiCarlo for reasons 1.4 (b) and (d)

11. (C) SUMMARY AND GUIDANCE REQUEST. Russian Permrep Vitaly Churkin acknowledged to France, Germany, U.K., U.S., and Croatia Permreps on June 9 that Russian forces would be subject to any security regime that would serve as the basis for a revised UNOMIG mandate. Churkin also said Russia would not agree to provide freedom of movement for UN personnel within the UN's area of operations. He made clear that Russia did not consider itself to be a party to the conflict, and would not consider itself bound by language calling on the parties to adhere to a cease-fire or to the principle of non-use of force. Churkin agreed to consider a German proposal to adopt the security regime and mandate verbatim from paragraphs 65 and 66 of the SYG's Report of May 18, 12009. Though provisional agreement was reached on some text, no agreement was reached on the most contentious issues, including reference to Georgia's territorial integrity, the name of the UN mission, reference to the conflict in South Ossetia, and the return of IDPs and refugees. The German Mission, as coordinator of the UNOMIG resolution, agreed to circulate a new text with disputed language bracketed, in advance of another Permrep meeting on June 10. French and German Permreps privately expressed concern to the U.S. about the possibility that the mandate would not be renewed. See paragraph 6 for guidance request. END SUMMARY.

12. (C) On June 9, Permreps of Croatia, France, Germany, Russia, U.K. and U.S. engaged in substantive negotiations over a revised mandate for the United Nations Observer Mission in Georgia (UNOMIG), which will expire on June 15, 12009. Russian Permrep Vitaly Churkin acknowledged that Russian forces would be subject to the security regime that will be included in the resolution, and which will serve as the basis of a revised UN mandate. Churkin, however, said that Russia did not consider itself to be a party to the conflict, and therefore would not consider itself to be bound by language in the resolution calling upon "parties" to refrain from the use of force, engage in the conflict resolution process, or to provide access to installations within their control. Russia, he said, would also reject language calling for the full freedom of movement of UN personnel within their area of operations. Ambassador Rice made clear that the United States would not accept a resolution "at any price." She said it would be absolutely necessary to ensure that any new UN peacekeeping mandate include full freedom of movement for UN monitors. She also emphasized that the resolution would need to include language calling for the SYG to assist the conflict resolution process, and that it could not undermine Georgia's territorial integrity.

13. (C) Ambassador Churkin agreed to consider a suggestion from German Permrep Tomas Matussek that the group adopt, verbatim, the recommended security regime and mandate from paragraphs 65 and 66 the Secretary-General's report of May 19, 2009 (S/2009/254). In this way the group would avoid contentious and complex negotiations over the elements of the security regime and revised UN mandate. Russia had earlier

offered several edits to the security regime outlined in para 65 of the SYG, many of which were unacceptable to the Quad. On the other hand, the Quad had suggested several enhancements to the mandate outlined in para 66 of the SYG's report, several of which were unacceptable to Russia. Permreps agreed to seek guidance from capitals on this tradeoff.

14. (C) Churkin insisted throughout the meeting that Russia would not accept a resolution with "UN Observer Mission in Georgia (UNOMIG)" as the mission name. Neither would Russia accept any reference to Georgia's sovereignty and territorial integrity, or even an indirect reference to Georgia's territorial integrity through a reference in a preambular paragraph to Resolution 1808. Churkin also rejected an operative paragraph that requests the SYG to engage with the parties with a view to establishing a security regime in South Ossetia, a paragraph that French Permrep Jean-Maurice Ripert insisted was absolutely essential for the Europeans. Churkin sought to remove an operative paragraph that reaffirms the right of return of IDPs and refugees, but agreed "consider positively" keeping it in, if other elements were to be agreed.

15. (C) After the meeting, French and German Permreps both expressed anxiety to Ambassador DiCarlo about the possibility that the United States might be willing to let the mandate lapse rather than accept "a mission at any price". They emphasized that the European Union needed a UN mandate, in order for the EU Monitoring Mission to be able to maintain its presence on the ground. Ambassador DiCarlo stressed that the U.S. needed to be clear with the Russians that we do will

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not compromise on issues of principle in order to maintain a mission.

16. (C) COMMENT AND GUIDANCE REQUEST. We are unlikely to reach agreement on a security regime and mandate if we are unwilling to go along with a change to the mission name. Changing the name would not cross our redlines outlined in STATE 56222. However, the Georgian Mission has emphasized to us that Georgia would not give consent to a UN mission that did not contain the name "Georgia". USUN requests guidance on whether the Georgian position is final, and if so, how the Department wishes us to proceed. END COMMENT AND GUIDANCE REQUEST.  
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